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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,311	05/25/2001	David Allan Cook	06007/37458	4324
4743	7590	06/11/2003	EXAMINER	
MARSHALL, GERSTEIN & BORUN 6300 SEARS TOWER 233 SOUTH WACKER CHICAGO, IL 60606-6357			LOPEZ, FRANK D	
		ART UNIT	PAPER NUMBER	
		3745		

DATE MAILED: 06/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/866,311	COOK ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	F. Daniel Lopez	3745	

All participants (applicant, applicant's representative, PTO personnel):

(1) F. Daniel Lopez. (3) \_\_\_\_\_.

(2) David C. Reed (#39,811). (4) \_\_\_\_\_.

Date of Interview: 04 June 2003.

Type: a) Telephonic b) Video Conference  
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
If Yes, brief description:

Claim(s) discussed: proposed claim 14.

Identification of prior art discussed: cited references.

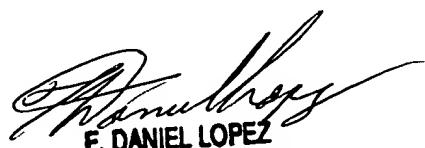
Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner indicated that the proposed claim 14 would need further consideration, but that it was probably not allowable.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) It is not necessary for applicant to provide a separate record of the substance of the interview(if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



F. DANIEL LOPEZ  
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### **Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record**

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### **Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews**

#### **Paragraph (b)**

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### **37 CFR §1.2 Business to be transacted in writing.**

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check the appropriate box at the bottom of the Form which informs the applicant that the submission of a separate record of the substance of the interview as a supplement to the Form is not required.

It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  

(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

#### **Examiner to Check for Accuracy**

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

14.(Discussion Claim)A ride improving hydraulic circuit for a loader arm of a wheeled loader, the hydraulic circuit comprising:

a hydraulic cylinder operatively connected to the loader arm for raising and lowering the loader arm, the hydraulic cylinder having a first chamber and a second chamber disposed on opposite sides of a piston;

a selection valve operatively connected to the hydraulic cylinder via a first line and a second line, the selection valve arranged to feed pressurized hydraulic fluid to the first chamber via the first line and to receive hydraulic fluid at a lower pressure from the second chamber via the second line in order to raise the loader arm, the selection valve further arranged to feed pressurized hydraulic fluid to the second chamber via the second line and to receive hydraulic fluid at a lower pressure from the first chamber via the first line in order to lower the loader arm;

a valve assembly disposed in the first line between the first chamber and the selection valve, the valve assembly including a bypass valve arranged to prevent fluid under pressure passing from the first chamber to the selection valve but permitting fluid under pressure to flow from the selection valve to the first chamber, the valve assembly including a relief valve shiftable from a first position to a second position, the first position arranged to prevent fluid flow between the selection valve and the first chamber in both directions, the second position arranged to permit fluid flow from the first chamber toward the selection valve, the valve assembly arranged to shift to the second mode in response to a pressure increase in the second chamber;

an accumulator operatively coupled to the first line by a first control valve, the first control valve in flow communication with the first line at a point between the valve assembly and the first chamber, the first control valve movable between a first position in which hydraulic fluid flow is permitted in only a single direction from the accumulator to the first chamber and a second position in which hydraulic fluid flow is permitted between the accumulator and the first chamber in both directions;

a low pressure area operatively coupled to the second line by a second control valve, the second control valve movable between a first position in which passage of hydraulic fluid between the second line and the low pressure area is prevented in both directions and a second position in which hydraulic fluid flow between the second feed line and the low pressure area is permitted in both directions; and

wherein the hydraulic circuit is shiftable to a ride improving mode, the ride improving mode activated in response to shifting the first and second control valves to the second position, the first and second control valves when in the second position arranged to route hydraulic fluid between the accumulator and the first chamber in response to pressure changes in the first chamber and further to route hydraulic fluid between the low pressure area and the second chamber in response to pressure changes in the second chamber.